IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 611 of 2001 (S/S)
(Old No. 33668 of 1998)

Kumaun Jal Shramik Sewa Samiti,
Bageshwar, District Bageshwar
Through its president Sri Pan Singh

..…… Petitioner

Versus

1. Kumaun Jal Sansthan, Nainital
through its General Manager.
2. The Ministry of Water Resources, Lucknow
through its Secretary.
3. The State of U.P.

…….. Respondents

Mr. Arun Kumar Verma, Advocate holding brief of Mr. C.D. Bahuguna, learned counsel for the petitioner.
Mr. J.P. Joshi, learned counsel for respondent No. 1.
Mr. Harendra Belwal, learned Standing Counsel for the State.

Hon'ble Prafulla C. Pant, J.

Learned counsel for the parties are present.

2) By means of this writ petition, petitioner a Society has sought regularization of services of its members, who are labourers engaged with the Jal Sansthan

3) In view of the principle of law laid down in ***Secretary State of Karnataka Vs. Uma Devi, reported in (2006) 4 Supreme Court Cases page 01,*** that daily wage workers or the persons employed without undergoing regular selection process under the rules, should not be directed to be absorbed or regularized in the service, against the Constitutional Scheme of public employment, this Court is

not inclined to issue direction to regularise service of the members of the petitioner Society.

4) Therefore, the writ petition is dismissed. Interim order, if any stands vacated. (All pending applications in this Petition also stand disposed of).

(Prafulla C. Pant, J.)

Dt.: December 13, 2006
H.Negi